

## REMARKS

### I. STATUS OF THE CLAIMS AND THE REJECTIONS

Claims 11-17 are presently pending in this application. Of these claims, claims 11-14, 16, and 17 stand rejected for alleged obviousness under Section 103(a), based on a combination of James UK Patent Application No. GB 2070139 ("James '139") and Schwarzler U.S. Patent No. 3,991,782 ("Schwarzler '782"). Claim 15 stands rejected for alleged obviousness under Section 103(a), based on the same combination, but further in view of Bullock U.S. Patent No. 3,302,657 ("Bullock '657").

Applicant respectfully traverses the rejections, because the claims patentably define over the cited prior art. Nonetheless, applicant has amended independent claims 11 and 17 to more clearly set forth the subject matter regarded as patentable. Accordingly, applicant requests reconsideration of the allowability of the claims.

Applicant appreciates the indication in the Office Action that the recently-received drawings are accepted.

### II. THE CLAIMS

The current claims clarify that the moveable element (36) moves between a first at least partially open position and a second closed position. Also, the device (25) includes at least one of a blower and a pump. This structure is disclosed in the specification at page 3, lines 11-14.

As described in the specification, during flight the first air inlet (12) provides an optimal supply of ambient air for the systems on board the aircraft. Meanwhile, by eliminating the need for a using some type of movable element for opening the flow cross-section of the first air inlet (12), this claimed invention reduces aerodynamic losses and minimizes the noise in the area of the first air inlet (12). Moreover, the structure associated with the second air inlet (24), namely the movable element (36) and the low pressure creating

device (25), assure that all systems on board the aircraft are correctly supplied with a sufficient amount of ambient air when the aircraft is on the ground.

### III. THE CLAIMS PATENTABLY DEFINE OVER THE CITED PRIOR ART

The cited prior art fails to teach the combination of elements recited in any of the claims. James '139 relates to an air intake duct for a gas turbine of a super sonic aircraft. This intake duct has a main air inlet, an auxiliary air inlet opening (15), and a door (11) operable to seal the auxiliary air inlet opening (15). The door (11) can be opened/closed via a spring, a hydraulic actuator, or an electrically operated actuator. The door (11) automatically opens when a predetermined angle of attack is exceeded so as to counteract a cowl-lift induced boundary layer separation.

James '139 does not teach or suggest a device (25) for creating low pressure in the area of the second air inlet (24), thereby to cause a movable element (36) to move so as to open the flow cross-section of the second air inlet (24). The claimed invention focuses on supplying ambient air to an aircraft both during flight and when the aircraft is on the ground, in a manner that is relatively simple in structure. James '139 fails to teach the structure described in the claims.

Moreover, James '139 fails to supply any objective reason (including failing to teach, suggest, or motivate a person of ordinary skill in the art) to modify its structure so as to supply ambient air both during flight and when the aircraft is on the ground, and to do so via a device (25) which creates low pressure in the area of the second air inlet (24).

The Office Action acknowledges the deficiency of James '139, in stating that "James '139 is silent about the use of a device to create a low pressure area in the area of the second air inlet. . ." (See page 2, paragraph 1 a., line 6.) The Office Action then cites to Fig 2 of Schwarzler '782, stating that "it would have been obvious to someone of ordinary skill in the art at the time of the invention to modify James '139 with the low pressure system of Schwarzler '782 in order to provide more air for the engine at low speeds." However, this

objective has nothing to do with the objective stated in the present application, namely, that of supplying ambient air in an aircraft when the aircraft is in flight and on the ground.

Accordingly, applicant disagrees with the reasons set forth in the Office Action for combining James '139 with Schwarzler '782. There is no objective basis for making this purported combination of prior art references, other than improper hindsight based on a reading of the present application.

Moreover, even if James '139 and Schwarzler '782 were combined, the resulting combination would still be deficient in that it would not include a device (25) for creating low pressure in the area of the second air inlet (24), including at least one of a blower and a pump, as recited in the claims.


As claimed, the present invention enables the supplying of ambient air to systems on board the aircraft, particularly during the time when the aircraft is on the ground. The movable element (36) is movable into either the first or the second position, independent of whether the aircraft is in the air or on the ground, and independently of the operation of the aircraft engine.

#### IV. CONCLUSION

Based on the amendments to the claims and these remarks, applicant respectfully asserts that the claims are in condition for allowance requests an early notification to that effect.

It is believed that no fee is due for this filing. If any fee is deemed due, consider this as an authorization to charge Deposit Account 23-3000 therefore.

Respectfully submitted,  
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